

## **REMARKS**

### **INTRODUCTION:**

In accordance with the foregoing, claims 1-4 are amended, and claim 5 is added. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-5 are pending and under consideration. Reconsideration is respectfully requested.

### **REJECTION UNDER 35 U.S.C. §102:**

Claims 1-4 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,755,434 to Takatoshi et al. (hereinafter "Takatoshi").

Independent claim 1 is amended herewith to clarify the claimed features and conform to U.S. patent claim practice. No new matter is added. The claim amendments are fully supported by the originally filed specification, for example, FIGS. 2-5 and the corresponding description in the specification.

Takatoshi discloses a dispensing hopper for a bank note processing machine. Takatoshi fails to anticipate at least "a shutter switchable between an open state in which the paper is in contact with the second pickup roller, and a closed state in which the shutter prevents the contact between the paper and the second pickup roller, the shutter being provided on the second pickup roller, wherein the shutter is switched in the open state to use a paper transport force of the second pickup roller in addition a paper transport force of the first pickup roller only when more than a prescribed weight or a prescribed number of sheets of paper are stacked on the paper support base, and the shutter is switched in the closed state otherwise, to use only the paper transport force of the first pickup roller" as recited in amended claim 1.

The bottom removal-type paper supply apparatus of claim 1, which includes a shutter having the above-recited features, can always accurately supply paper into an image reading apparatus, whether the amount of paper stacked on a paper support base is large or small (see paragraph [0012] on pages 6-7 of the specification).

Takatoshi's dispenser controls whether a bank note should be dispensed or not. For example, in col. 5, lines 21-32, Takatoshi states "As shown in FIGS. 1, 5, and 10 the upper portions 60a of the stoppers 60, 60 can be positioned above the upper portion 21a of the letting-

out roller 21 even if the letting-out roller 21 rotates when the note dispensing is stopped; therefore, the stoppers 60, 60 can wait with the note being supported by their upper portions 60a for preventing contact between the note 1 and the letting-out roller 21. If the transferring signal is output, the solenoid 56 operates to lower the stoppers 60, 60 as shown in FIG. 12, and the lowest bank note can be let out by the letting-out roller 21 in the direction indicated by an arrow R until the first sensor 52 detects the bank note 1."

Since Takatoshi fails to anticipate every feature recited in claim 1, claim 1 and claims 2-4 depending from claim 1 are patentably distinct over Takatoshi.<sup>1</sup>

#### **NEW CLAIM 5**

New independent claim 5 is directed to a paper supplying device supplying one sheet of paper at a time in an image processing apparatus and has a first pickup roller, a second pickup roller and a shutter. The claim is fully supported by the originally filed specification and patentably distinguishes over the prior art at least by reciting "a shutter switchable between an open state in which the second pickup roller is in contact with the paper, and a closed state in which the shutter prevents the contact between the second pickup roller and the paper, so that only the first pickup roller transports the paper sheet through the paper supply apparatus, wherein the shutter is switched in the open state when the paper stack weights more than a prescribed weight or has more than a prescribed number of sheets of paper."

#### **CONCLUSION:**

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

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<sup>1</sup> See MPEP 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (Citations omitted) (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

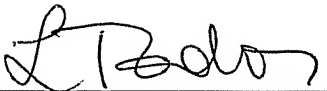
Serial No.: 10/575,230

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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